

REMARKS

I. INTRODUCTION

Claims 1, 7, and 16 have been amended. Claims 3 and 15 have been cancelled. Support for the amendments can be found at least at Figure 2b of the originally filed application. Thus, claims 1, 2, 4-14 and 16-18 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

II. THE DRAWING OBJECTIONS SHOULD BE WITHDRAWN

The drawings stand objected to for failing to comply with 37 C.F.R. § 1.83(a). Specifically, the Examiner objects to the drawings for failing to show “the fixation elements.” (See 8/4/10 Office Action, p. 2). Applicants direct the Examiner’s attention to Figure 2b of the originally filed application which shows a lug nut (9). Also, the specification points to this lug nut (9) and states, “[t]he fastening of the door module 1 onto the door inner panel 13 runs through fixation elements in the form of locking lugs 9.” (See Specification, p. 6, ¶ [0032]). Accordingly, Applicants respectfully request the withdrawal of this objection.

III. THE CLAIM OBJECTION SHOULD BE WITHDRAWN

Claim 7 stands objected to due to informalities. In view of the amendment to this claim, the withdrawal of this objection is respectfully requested.

IV. THE 35 U.S.C. § 112 REJECTION SHOULD BE WITHDRAWN

Claims 1, 2, 4-14, and 16-18 stand rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. Specifically, the Examiner refers to the recitation of “an edge region” in claim 1, a side of the base body distant to an interior” in claim 16, and “are separated by a peripheral seal” in claim 16 and states that these recitations are

indefinite. In view of the amendments to the claims, the withdrawal of this rejection is respectfully requested.

V. **THE 35 U.S.C. § 102(b) REJECTIONS SHOULD BE WITHDRAWN**

Claims 1, 2, 4-7, 12, and 16-18 stand rejected under 35 U.S.C. § 102(b) as anticipated by Koa et al. (U.S. Patent No. 6,412,852).

Claim 1, as amended, recites, “[a] module for covering an opening in a motor vehicle door and for supporting a door inner trim, comprising: a base body including a base and at least one bracket movable with respect to the base, the bracket including a supporting surface contacting an edge region surrounding the opening, the bracket including at least one fixation point for fastening only to the door inner trim, and fixation elements for fastening only the module on the edge region of the opening, wherein the fixation elements and the at least one bracket are laterally offset from each other with respect to a plane defined by the module.”

Koa discloses an outer surface (21) that faces the outside of the vehicle and an inner surface (22) that faces in the inside of the vehicle. (See Koa, col. 5, ll. 5-8). Koa also discloses a water, dust, and sound “attenuating barrier for positioning between the interior surface of a vehicle door exterior panel and the door interior trim panel.” (See *Id.*, Abstract). The barrier panel (35) has an outer surface (37) that faces the exterior door panel (11). The Examiner equates the sheet portion (41) and the lower portion (42) of Koa to the claimed bracket and base, respectively. Also, the Examiner refers to holes (39) of Koa to meet the claimed fixation point for fastening to a door trim, which the Examiner equates to Koa’s interior trim panel (20). Fastener members (25) are formed on the inner surface of the interior trim panel (20) for coupling with the holes (39). (See *Id.*, col. 5, ll. 50-53, Fig. 4). However, it is clear that the fastening members (25) mate with hole 39 as well as hole 28, which is in the exterior trim panel. So, according to Koa’s disclosure, the fixation elements for fixing a module on an edge of an opening would be the same as the holes for attaching the inner trim panel to the door module. Thus, Koa fails to disclose or suggest “*the bracket including at least one fixation point for fastening only to the door inner trim,*” as recited in claim 1.

Furthermore, since the Examiner equates the sheet portion (41) and the lower portion (42) of Koa to the claimed bracket and base, respectively, then it follows that the Examiner is equating the barrier panel (35) of Koa to the claimed module. However, the fastener members (25) and the sheet portion (41) are not “laterally offset from each other with respect to a plane defined by the” barrier panel (35). In fact, at least one of the fastener members (25) passes through the sheet portion (41) of Koa. Accordingly, Koa also fails to disclose or suggest “*the fixation elements and the at least one bracket are laterally offset from each other with respect to a plane defined by the module,*” as recited in claim 1. Applicants, therefore, respectfully submit that claim 1 and its dependent claims 2, 4-7, and 12 are allowable over Koa.

Claim 16 recites limitations substantially similar to those of claim 1. Thus, Applicants respectfully submit that claim 16 and its dependent claims 17-18 are allowable over Koa for at least the foregoing reasons presented with regard to claim 1.

Claims 1, 2, 5, 6, 8, 9, and 11-14 stand rejected under 35 U.S.C. §102(b) for being anticipated by Lau et al. (U.S. Patent No. 5,048,234).

Similarly, Lau discloses a module panel (24) that is mounted in an opening (22) of a door inner panel (14) by means of a plurality of energy absorbing devices (52, 54, 56, 58, 60). (See Lau, col. 2, ll. 26-43). The Examiner equates the holes in the energy absorbing devices (52, 54, 56, 58, 60) through which bolt 66 extends to fasten the module panel (24) to the claimed fixation point. (See 8/4/10 Office Action, p. 5). The Examiner also equates the trim panel (70) of Lau to the claimed door inner trim. (*Id.*). Since Lau fails to disclose or suggest that the holes in the energy absorbing devices (52, 54, 56, 58, 60) allow fastening to the trim panel (70), then it is respectfully submitted that Lau fails to disclose or suggest “*the bracket including at least one fixation point for fastening only to the door inner trim,*” as recited in claim 1. Even if the bolt (66) did fasten the energy absorbing devices (52, 54, 56, 58, 60) to the trim panel (70), this would result in the fastening of the bracket to both the inner panel (14) and the trim panel (70), which

teaches away from the claimed fastening *only* to the door trim. Therefore, Applicants respectfully submit that Lau suffers from the same deficiency as Koa and that claim 1 and its dependent claims 2, 5, 6, 8, 9, and 11-14 are allowable over Lau.

VI. THE 35 U.S.C. § 103(a) REJECTION SHOULD BE WITHDRAWN

Claim 10 stands rejected under 35 U.S.C. §103(a) for being obvious over Lau.

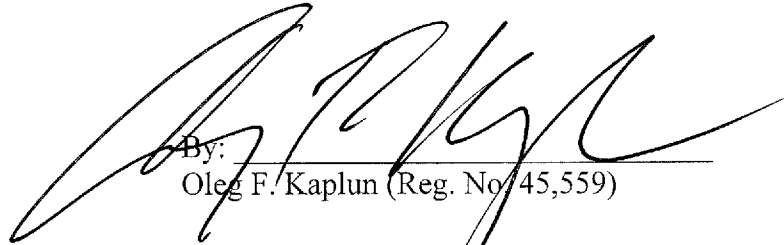
As previously stated, Lau fails to disclose or suggest “*the bracket including at least one fixation point for fastening only to the door inner trim,*” as recited in claim 1. Therefore, because claim 10 depends on and, therefore, contains all of the limitations of claim 1, it is respectfully submitted that claim 10 is allowable.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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A large, stylized handwritten signature in black ink, appearing to read 'O. Kaplun', is written over a horizontal line.

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